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WESTERN DISTRICT OF LOUISIANA  
ALEXANDRIA, LOUISIANA

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
ALEXANDRIA DIVISION

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UNITED STATES OF AMERICA

CRIM. ACT. NO. 17-CR-00171-2

-VS-

JUDGE DRELL

GEORGE EARL WHITE

MAG. JUDGE PEREZ-MONTES

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**ORDER**

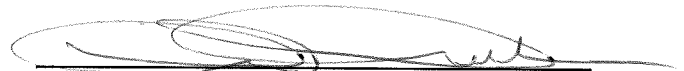
Before the court is a filing by counsel for defendant, George Earl White, entitled "Notice to Court Re: Defendant George Earl White Declines to Waive His Speedy Trial Rights[.]" Doc. 65. Defendant White is one of four (4) defendants charged in an indictment with various drug-related offenses. Doc. 1. Co-defendants Derrick Anthony Felton (17-CR-00171-1) and Reginald Felton, Jr. (17-CR-00171-3) each filed speedy trial waivers in this case. Docs. 66, 67.

When the cases of co-defendants remain joined for trial purposes, excludable delays attributable to one co-defendant may fairly be attributable to all co-defendants. This is particularly true when the court makes a written finding that the interests of justice are served by the granting of a continuance in a particular matter. United States v. Stephens, 489 F.3d 647, 654 (5<sup>th</sup> Cir. 2007); United States v. Jones, 56 F.3d 581, 583 n.4 (5<sup>th</sup> Cir. 1995) *citing* United States v. Bermea, 30 F.3d 1539, 1567 (5<sup>th</sup> Cir. 1994), *cert. denied*.

Moreover, defendant White demonstrates no prejudice that now exists or may result in the future due to the continuance of this trial. United States v. Franklin, 148 F.3d 451, 457 (5<sup>th</sup> Cir. 1998). Construing this filing as a motion to sever, such motion is hereby DENIED. White made his initial appearance on July 12, 2017; less than two months ago. Under Barker v. Wingo, 407 U.S. 514 (1972), this delay is insufficient to prompt a presumption of prejudice. While it would

appear that White is being diligent in pursuing his speedy trial rights, against the advice of his attorney, he fails to show how any delay will prejudice his case and, therefore, has not overcome the preference in favor of joint trials when the government indicts defendants together. Zafiro v. United States, 506 U.S. 534, 537 (1993).

**THUS DONE AND SIGNED** at Alexandria, Louisiana this 5<sup>th</sup> day of September, 2017.

A handwritten signature in black ink, appearing to read "Dee D. Drell", is written over a horizontal line.

**DEE D. DRELL, CHIEF JUDGE  
UNITED STATES DISTRICT COURT**